

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

GREGORY D. PHILLIPS

PLAINTIFF

v.

Civil No. 07-5117

JAILER REEVES; JAILER MONROE;
CAPT. HUNTER PETRAY; SHERIFF
KEITH FERGUSON; and BENTON COUNTY
SHERIFF'S OFFICE/BENTON COUNTY
DETENTION CENTER

DEFENDANTS

O R D E R

Now on this 13th day of December, 2007, comes on for consideration the **Report and Recommendation of the Magistrate Judge, Hon. James R. Marschewski** (document #7, filed November 8, 2007), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation is adopted *in toto*.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, **Plaintiff's claims against Defendants Benton County Jail and Benton County Sheriff's Office are hereby dismissed**. The claims against defendants Reeves, Monroe, Hunter Petray and Keith Ferguson remain pending.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE